

CONDOMINIUM REVIEW COMMITTEE
REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.hawaii.gov/hirec

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: February 12, 2020

Time: Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Present: Laurie A. Lee, Chair, Broker / Honolulu Commissioner
John Love, Vice Chair, Public / Honolulu Commissioner
Bruce Faulkner, Broker / Maui Commissioner
Scott Arakaki, Public / Honolulu Commissioner
Aleta Klein, Broker / Honolulu Commissioner
Michael Pang, Broker / Honolulu Commissioner
Sean Ginoza, Broker / Hawaii Island Commissioner
Russell Kyono, Broker / Kauai Commissioner
Derrick Yamane, Broker / Interim Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Miles Ino, Executive Officer
Carole Richelieu, Senior Condominium Specialist
Benedyne Stone, Condominium Specialist
Dathan Choy, Condominium Specialist
Lorie Sides, Condominium Education Specialist
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
Nohelani Jackson, Real Estate Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Daryl Nishizawa, Honolulu Board of REALTORS®
Kalama Kim, Honolulu Board of REALTORS®
Bryan Andaya, Abe Lee Seminars

Absent: None

Call to Order: The Chair called the meeting to order at 9:24 a.m., at which time quorum was established.

Chair's Report: The Chair welcomed Real Estate Specialist Nohelani Jackson.

The Chair announced that the Commission may move into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and/or to consult with the

Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

Condominium
 Specialist's
 Report:

Additional Distribution

The following materials were distributed prior to the start of the meeting:

- 4. Condominium Governance and Management
 - b. Condominium Seminars and Symposium – CAI Hawaii's "Do's and Don'ts in Design Review" – February 6, 2020

Minutes

Upon a motion by Commissioner Faulkner, seconded by Commissioner Yamane, it was voted on and unanimously carried to accept the minutes of the January 8, 2020 Condominium Review Committee meeting as circulated.

Condominium
 Governance and
 Management:

AOUO Registrations

Specialist Stone reported that as of January 30, 2020, 1,493 AOUOs have successfully registered.

Condominium Seminars and Symposium – CAI Hawaii's "Do's and Don'ts in Design Review" – February 6, 2020

Staffs' evaluations of the seminar were distributed for informational purposes. The Do's and Don'ts in Design Review was a new topic presented by CAI Hawaii. The seminar was well received and well attended.

Case Law Review Program

The following article was distributed for informational purposes: Davis v. Echo Valley Condominium Association et al., Sixth Circuit, December 19, 2019.

Condominium Related Articles

The following articles were distributed for informational purposes: "Thinking of Buying a Condo?", Star-Advertiser, January 26, 2020; "Who is Responsible for What in Your Condominium Community", Building Management Hawaii, January 2020; and "HUD Issues Guidance on Reasonable Accommodations Under the Fair Housing Act Relating to Assistance Animals", U.S. Department of Housing and Urban Development, January 28, 2020.

Condominium
 Project
 Registration:

Condominium Project Registration - Public Reports Issued

A list of those condominium projects issued effective dates during the month of January 2020, was distributed for informational purposes.

PROJ #	PROJECT NAME	PROJECT ADDRESS	TMK #	TOTAL	REPORT	DATE
8359	1276 AND 1278 KAHILI STREET	1276 AND 1278 KAHILI ST KAILUA HI 96734	142061090	2	B REPT	1/24/2020
8134	2281 NALO ROAD CONDOMINIUM	2281 NALO RD KOLOA HI 96756	428019056	2	B AMEND	1/8/2020
8471	2357C & 2357D PALOLO AVENUE	2357C & 2357D PALOLO AVE HONOLULU HI 96816	134005008	2	B REPT	1/16/2020
8453	4055 AND 4057 KOKO DRIVE	4055 & 4057 KOKO DR HONOLULU HI 96816	133014052	2	B REPT	1/10/2020

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8408	4978 HAUAALA ROAD	4976 & 4976A HAUAALA RD KAPAA HI 96746	446015078	2	B REPT	1/8/2020
2324	6470 KAWAIHAU ROAD CONDOMINIUM	6470 KAWAIHAU RD KAPAA HI 96746	446006010	2	SUPPL	1/10/2020
3172	732 11TH AVENUE	732 & 734 11TH AVE HONOLULU HI 96816	132025019	2	SUPPL	1/23/2020
8454	928 AND 928A 17TH AVENUE	928 & 928A 17TH AVE HONOLULU HI 96816	132048061	2	B REPT	1/22/2020
5890	99-134 WAIAKEA	99-134 WAIAKEA AIEA HI 96701	199009018	2	SUPPL	1/24/2020
8421	ALII TOWN HOMES	75-146 LUNAPULE RD KAILUA KONA HI 96740	375018050	2	B REPT	1/3/2020
8457	KAAU STREET HALE	3407 KAAU ST HONOLULU HI 96816	133004112	2	B REPT	1/7/2020
8356	KAHALEKAI HALE	202 WAIHEE VALLEY RD WAILUKU HI 96793	223005023	2	B REPT	1/16/2020
8447	KAPUAI LOT 5 CONDOMINIUM	286 BURNS RD HAIKU HI 96708	228001102	2	B REPT	1/15/2020
8446	KAPUAI LOT 6 CONDOMINIUM	364 BURNS RD HAIKU HI 96708	228001044	2	B REPT	1/28/2020
7461	KAUAI KAILANI	4-856 KUHIO HWY KAPAA HI 96746	443009050	59	B AMEND	1/13/2020
8466	KAUHIKOA FARMS LOT 3-G CONDOMINIUM	668 KAUAHEAHE PL HAIKU HI 96708	227008224	2	B REPT	1/29/2020
8461	KAUHIKOA FARMS LOT 3-K CONDOMINIUM	692 KAUAHEAHE PL HAIKU HI 96708	227008228	2	B REPT	1/21/2020
8445	KR7E CONDOMINIUM	2759 BALDWIN AVE MAKAWAO HI 96768	225004097	2	B REPT	1/30/2020
7852	LOT 14 OF KUA'AINA MAUKA	116 TAM YAU PL MAKAWAO HI 96768	223043051	2	B AMEND	1/22/2020
8393	PARADISE RIDGE ESTATES (PHASE 2)	2757 S KIHEI RD KIHEI HI 96753	239004132	16	B REPT	1/15/2020
8451	SILVA'S ACRES CONDOMINIUM	6204-D OLOHENA RD KAPAA HI 96746	444003154	2	B REPT	1/10/2020
8327	THE HERITAGE AT MAUI LANI	KAMEHAMEHA AVE WAILUKU HI 96793	238007157	25	B AMEND	1/6/2020
8462	UAKEA RANCH	104 COOKE RD KULA HI 96790	223038005	2	B REPT	1/24/2020
7893	WAIKELE STORAGE PARK	94-990 PAKELA ST WAIKELE HI 96794	194002081	208	B AMEND 2	1/13/2020
8419	WANA'AO MAUKA ESTATES	1644 WANAAO RD KAPAA HI 96746	446007090	2	B REPT	1/13/2020

0	Preliminary Reports
0	Contingent Final Reports
0	Final Reports
3	Supplementary Reports
17	B Reports
5	B Amendment Reports
25	TOTAL REPORTS

Consultants – Consultants' Forum – February 5, 2020

Specialist Richelieu reported that a condominium consultants' forum was held on February 5, 2020. All except one consultant attended in person. A report will be presented to the Commission before the end of the legislative session.

Program of Work: **Condominium Laws and Education**

Maui Condorama, January 24, 2020

Specialist Stone reported that the Real Estate Commission and procured provider, CAI Hawaii, presented a Condorama free educational event, its first ever neighbor island Condorama on Maui on January 24, 2020. The Condorama was held at the J. Walter Cameron Center in Kahului.

Three Commission staff were in attendance along with Commissioner Faulkner who provided the welcoming remarks. The seminar was very successful with a large turnout. Some individuals had to be turned away due to the room capacity but were

informed that the Condorama would be videoed and uploaded to the Commission's website at www.hawaii.gov/hirec. The big draw seemed to be "free" education.

Commissioner Faulkner also commented that he wrote an article on the Maui Condorama for the Maui News.

Building Industry Association Hawaii – January 24 – 26, 2020

Specialist Sides reported that the Commission shared a booth with the DCCA Director's office and the Public Utilities Commission during the BIA Big Home and Remodeling Show to provide consumer education. REB's condominium brochures were made available to attendees. It was a good event held over three days. Feedback received from staff manning the booth was that the REB should have staff physically manning the booth on both Saturday and Sunday. Specialist Sides commented that this was the first time the REB did not have a staff at the show on both days.

DCCA National Consumer Protection Week – March 4, 2020

REB staff will be participating in the department's Consumer Fair on March 4th, 2020, celebrating National Consumer Protection Week. The Consumer Fair will be held in the DCCA Courtyard.

Hawaii Buildings, Facilities & Property Management Expo – March 11 – 12, 2020

REB staff will be participating and manning a booth at the Hawaii Buildings, Facilities & Property Management Expo to provide condominium related consumer education.

Hawaii Condominium Bulletin

The December 2019 issue of the Hawaii Condominium Bulletin has been posted to the Commission's website at www.hawaii.gov/hirec.

Government and Legislative Participation & Report

"FHA Issues New Condominium Approval Rule", U.S. Department of Housing and Urban Development, August 14, 2019; and "Welcome Home? New FHA Process Could Make Condos Available to More Buyers", CAI, October 16, 2019

Specialist Richelieu noted that she is providing the articles in response to a request by attendees of the January committee meetings held in Molokai.

Consumer Education

"Condominium: Obtaining Documents from The Bureau of Conveyances"

A copy of the REB's most recent brochure entitled "Condominium: Obtaining Documents from the Bureau of Conveyances" was distributed for informational purposes. Commissioners had suggested including information on title transfer and timelines, but staff responded that the information should come directly from the Bureau and not the REB.

Request for Proposal for Production of Educational Videos (RFP)

A request for preliminary approval to issue a request for proposals (RFP) for the production of educational videos on condominium related subjects was presented to the Committee.

The RFP would solicit proposals to produce 15 educational videos which would be made available on the Commission's website as an informational resource on condominiums and community living for consumers who are contemplating purchasing or have purchased a condominium unit, contemplating serving or serving on a condominium association board, real estate licensees who facilitate condominium sales, condominium managing agents, and resident or site managers of condominiums.

Commissioner Pang questioned if this request is a part of the big educational PR rollout.

Specialist Richelieu responded that it is a separate project.

Commissioner Klein questioned whether the RFP will be issued to the lowest bidder or will there be an evaluation of the product. She further questioned what the vetting of the RFP will entail.

Specialist Sides responded that the request will include submission of sample work product. The final selection and award will be subject to the Commission's approval.

Chair Lee questioned at what point will the topics be decided upon.

Specialist Sides responded that after the proposal has been received, the topic and content will then be decided upon.

Commissioners responded that the RFP should include a list of possible topics to include, but not limited to. This information will assist the vendor in providing a more accurate proposal.

Upon a motion by Commissioner Pang, seconded by Commissioner Klein, it was voted on and unanimously carried to issue a request for proposals for the production of educational videos as noted in staff's proposed scope of work and requirements. Staff to provide a list of possible topics to include, but not limited to, in the issuance of the RFP.

Condominium Specialist Office for the Day – Molokai, January 8, 2020

The Committee acknowledged receipt of staff's report on the Specialists' Office for the Day held on Molokai on January 8, 2020, following the committee meetings.

Condominium Speakership Program

Staff will present "Not Me! Not You? Then Who? Who's Responsible for What in Your Condominium Community" at the 2020 Hawaii Buildings, Facilities & Property Management Expo on March 12, 2020.

Commissioner Faulkner congratulated Specialists Stone and Richelieu for being recognized by CAI Hawaii for all their work with the education of the condominium community.

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Condominium Organizations Forum: No comments, recommendations, or concerns were received.

Next Meeting: March 11, 2020
Upon adjournment of the Laws and Rules Review Committee meeting scheduled to convene at 9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:55 a.m.

Respectfully submitted:

/s/ Carole R. Richelieu

Carole R. Richelieu
Senior Condominium Specialist

February 21, 2020

Date

Minutes approved as is.

Minutes approved with changes; see minutes of _____

CRR:tn/